

## VI. Section 41, Rules regulating Forest Produce in Transit.

### A. GENERAL—concluded.

**295.** Railway Companies have not been exempted from the operation of the rules for regulating the transit of timber and other produce published under section 41 of the Forest Act, and it is the duty of the Conservator of Forests to enforce obedience to those rules on the part of the Railway officials, and to seize and detain Railway wagons in which timber, or other forest produce, may be transported in contravention of them. Railway officials, like other persons, must comply with the provisions of the law.\*

### B. Rules for Transit of Forest Produce.

**296.** Notification No. 4133, dated 9th August 1880, *Bombay Government Gazette*, 1880, Part I, page 689.—Under the provisions of section 41 of the Indian Forest Act, VII of 1878, His Excellency the Right Honourable the Governor in Council is pleased, with the previous sanction of the Government of India, to make the following rules (see note) for regulating the transit of timber and other forest produce:—

NOTE I.—These rules are not in force in Ahmedabad, Kaira and Broach Districts, *vide* Notification No. 2430, dated 22nd March 1883.

NOTE II.—See Appendix B, section 297, page 187, for rules in force in Sind.

1. All words used in these rules and defined in the Indian Forest Act, VII of 1878, as amended by the Forest Act V of 1890, shall be deemed to have the meaning attributed to them respectively by the said Act amended as aforesaid.†

2. No timber or other forest produce shall be moved into or from any districts in the Presidency of Bombay mentioned in Appendix A, section 296a, page 184, except by the routes therein respectively specified, or by such routes as may be entered in the pass by the Conservator of Forests or by any officer of Government authorized by him in that behalf.‡

3. No timber or other forest produce shall be moved within any district of the Bombay Presidency except within the limits of a Reserved Forest (whether a village forest or not) or of a Protected Forest, and except as is hereinafter otherwise provided; no timber or other forest produce shall be moved from or into any such district without a pass from a Conservator of Forests, or from some officer empowered by a Conservator of Forests, or from some persons duly authorized under Rule 13 to issue such pass, nor otherwise than in accordance with the conditions of such pass:

\* Government Resolution No. 5663, dated 5th August 1889.

† Rule 1 is here given as amended by Notification No. 5586, dated 24th July 1895.

‡ The last sentence of this rule has been added, *vide* Notification No. 1095, dated 22nd February 1881.

## VI. Section 41, Rules regulating Forest Produce in Transit.

### B. RULES FOR TRANSIT OF FOREST PRODUCE—continued.

Provided that nothing in this rule shall be deemed—

Forest produce for which transit passes are not required, (1) to apply to timber or forest produce which is the property of Government; or

(2) to apply to timber or other forest produce, the property of one person, or the joint property of two or more persons, which is conveyed in quantities not exceeding one head-load once in twenty-four hours; or

(3) to require a pass for the removal of any timber or other forest produce within the limits of the village in which it was produced.

Every pass shall contain this information, 4. Every pass issued under the last rule shall specify—

(1) the name of the person to whom such pass is granted

(2) the quantity and description of timber or other forest produce covered by it;

(3) the places from and to which such timber or other forest produce is to be conveyed, and the route by which it is to be conveyed;

(4) the period for which such pass is to be in force;

(5) the officer to whom it is to be returned on the expiry of such period, or on the arrival of the timber or other forest produce at its destination, whichever event happens the first.

5. In the case of timber or other forest produce which it is wished to import otherwise than by sea from any place beyond the frontier of British India, no pass shall be issued under Rule 3 unless upon production of a "Foreign Pass" covering such timber, or other forest produce, nor, if such timber be of large scantling, unless it bears a Foreign Property mark.

6. Every Foreign Pass must be in a form, and every such Foreign Property mark must be of a description, which has been registered in the office of Conservator of Forests of the Division into which it is sought to import such timber or forest produce, and such Foreign Pass must bear the signature of some officer or person whose name or *official designation*\* has been duly registered in the said office as an officer or person duly authorized to sign such passes.

7. Any timber or forest produce which it is wished to import otherwise than by sea from any place beyond the frontier of British India may be conveyed within such frontier by any of the routes named in Appendix A, or by such routes as may be prescribed by the Conservator of Forests or by any officer of Government authorized by him in that behalf as far as

Foreign timber requires "Foreign Pass" when entering British India.

Registration and signature of Foreign Property marks.

When foreign forest produce is imported into British India a pass should be taken at the first depôt.

\* The three words in italics were added, *vide* Notification No. 2363, dated 27th April 1881.

† The last sentence was added, *vide* Notification No. 1095, dated 22nd February 1881.

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**B. RULES FOR TRANSIT OF FOREST PRODUCE—continued.**

the first depôt on such route established under Rule 15, without a pass under Rule 3, if it is conveyed by a foreign pass in proper form and duly signed and if, in the case of timber of large scantlings, it is marked with a registered Foreign Property mark, but not otherwise.

**NOTE.**—Material of the lopping class and under require no such stamp.

No forest produce to be deposited between the frontier and a depôt. No such timber or forest produce shall be stacked or deposited in any place between the frontier and such a depôt, or be moved beyond such depôt without a pass issued under the said rules.

8. If the Conservator of Forests of the Division shall so direct, no timber of large scantling, which has been imported as aforesaid by any particular route, shall be moved beyond such first depôt without first having a Government transit mark of such description as the said Conservator shall prescribe stamped upon it.

9. In respect of every pass issued under Rule 3, there shall be payable such fee, if any, as the Conservator of Forests shall, from time to time, prescribe with the previous sanction of Government, for each district, and no such pass shall be issued until the fee so prescribed has been paid.

10. No person who belongs to a community to which a village forest is assigned and no inhabitant of a town or village in the vicinity of a Protected Forest, who is permitted to take timber or other forest produce from such forest for his own use, shall be entitled to receive a pass under Rule 3 for the removal of timber or forest produce from such forest to any place beyond the limits of the town or village in which such person resides :

Provided that in the district of Kánara a pass may be issued for moving from the said district any timber which has been given, on Special rules for Kánara, payment of the fees to be hereafter prescribed, for a specific purpose, and has been used by the grantee for that purpose,

but only on payment of an additional fee of 50 per cent. on the amount of the fee originally paid, if such timber is being moved by any person other than the original grantee,—unless the Collector, or the Conservator of Forests, or any of their

Assistants or Deputies to whom an application may be made in this behalf, shall be satisfied that such timber is being moved for charitable purpose and shall be of opinion that such additional fee should be reduced or remitted,—in which case a pass may be granted either without additional fee or on payment of a reduced fee as the Collector or other officer aforesaid shall determine.

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### B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued.*

In other cases than above mentioned a pass may be granted.

11. In every other case the owner of timber or other forest produce shall be entitled to receive a pass for the same under Rule 3 for any of the purposes for which such passes may be granted.

Rules regarding passes issued for forest produce exported from Kánara.

12. In the district of Kánara, passes under Rule 3 for the moving of timber or other forest produce beyond the inland frontier of the said district will be issued in duplicate, one white and one green, and the date of exit will be recorded on each of such duplicate passes by the Forest Officer at the appointed watch-house on the frontier, and the green pass shall be surrendered by the holder thereof to such officer who shall return it without delay to the office from which it was issued.

Power of the Conservator to authorize issue of transit passes.

13. The Conservator of Forests or any Deputy or Extra Deputy Conservator of Forests especially empowered by him in this behalf may, if he thinks fit, at any time by an order in writing—

(a) authorize any person who is an owner of timber or other forest produce or the agent of any such owner, to issue passes under Rule 3 in respect of any timber or other forest produce which belongs to such person, or to the person for whom such person is agent, and

(b) cancel such authorization.

When the Conservator or Deputy or Extra Deputy Conservator of Forests authorizes any person under clause (a) of this rule he shall furnish such person from time to time with authenticated books of blank printed forms of passes with the particulars required by clauses (4), (5)\* of Rule 4 already filled in, and no alteration shall be made by such person in any of the said particulars, or if made, shall have any validity.

The said person shall pay for each such book such sum as shall from time to time be determined by the Conservator of Forests, and, in the event of an order being passed by the Conservator or Deputy or Extra Deputy Conservator of Forests under clause (b) of this rule, shall at once return to the said Conservator or Deputy or Extra Deputy Conservator every unused book and every unused portion of any such book then remaining in his possession, and shall be entitled to receive back the amount paid by him in respect of such unused book or portion of a book.

Payment to be made for pass books.

No pass issued by any such person after the issue of an order under clause (b) of this rule, and no pass issued by him which is not on a form supplied to him as aforesaid, shall have any validity.

Only the sanctioned form of pass is valid.

\* The correction made by Government Notification, dated 11th November 1880, has here been entered.

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### B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued.*

14. Timber or other forest produce in transit may be stopped and examined at any place by any Forest or Police Officer if such officer shall have reasonable ground for suspecting that any money which is payable to Government in respect thereof has not been paid, or that any forest offence has been or is being committed in respect thereof.
- A pass holder shall show his pass to any authorized officer.

The person in charge of any such timber or other forest produce shall furnish to any such officer all the information which he is able regarding such timber or other forest produce, and if he is removing the same under a pass shall produce such pass, on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said timber or other forest produce by such officer :

Information to be furnished when required.

Provided always that no such officer shall vexatiously or unnecessarily delay the transit of any timber or other forest produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such timber or other forest produce, or cause the same to be unloaded, for the purpose of examination.

Prohibiting vexatious examination or delay.

15. The Conservator of Forests may establish at such convenient places as he shall think fit, on the routes by which timber or other forest produce may lawfully be conveyed, depôts to which such timber or other produce shall be taken for all or any of the following purposes (namely) :—
- Fixing depôts and object of doing so.

for examination previous to the grant of a pass in respect thereof under Rule 3 or under Rule 13, or

for determining the amount of money, if any, payable on account thereof to Government, and for the payment of such money, or

in order that any mark required by law or by these rules to be affixed thereto, may be so affixed.

16. A Forest Officer appointed by or under the orders of the Conservator shall have charge of each such depôt, and no timber or other forest produce shall be brought into, stored at, or removed from a depôt without the permission of such officer, and for storing timber or other forest produce in such depôt, and allowing laden carts, or loads or cattle to stand or be deposited therein, such fees shall be payable as the Conservator of Forests, with the previous sanction of Government, shall from time to time notify.
- Depôt Officers and their duties.

17. The Conservator of Forests shall from time to time make known by notification published in the *Bombay Government Gazette*, and locally in such manner as he deems fit, the name and situation of every depôt in his division.
- Notification of places fixed as depôts.

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### B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued.*

18. The person in charge of any vessel which carries timber or other forest produce on a river on the banks of which one or more of such depôts are situated, shall call and stop his vessel at each such depôt which he has to pass, in order that the timber or other forest produce may be examined, if necessary, under the provisions of Rule 14, and the person in charge of such vessel shall not proceed with such vessel past any such depôt without the permission of the Forest Officer in charge of such depôt.

Timber laden vessels on a river shall stop, if required, at the depôt.

19. No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of timber or other forest produce, or throw grass, brushwood, branches, or leaves into any such river, or do any other act which may cause such river to be closed or obstructed.

Obstruction of floating channels.

20. Any Forest Officer not lower in rank than an \* Extra Assistant Conservator of Forests may take such measures as he shall at any time deem to be emergently necessary for the prevention, or removal of any obstruction of the channel, or of any part of a bank of a river lawfully used for the transit of timber or other forest produce, but any such case which is not emergent shall be reported to the Collector, who may by written notice require the person whose act or negligence has caused or is likely to cause the obstruction to remove or take steps for preventing the same within a period to be named in such notice, and if such person fails to comply with such notice may himself cause such measures to be taken as he shall deem necessary.

Cost of removing obstructions to be paid by the offender.

The reasonable costs incurred by a Forest Officer or by the Collector under this rule shall be payable to Government by the person whose act or negligence necessitated the same.

21. Within the limits of any reserved forest or protected forest in charge of the Forest Department and within one mile beyond such limits, no person shall establish a saw-pit, erect any machinery or other plant for the cutting, converting or fashioning of timber, or manufacture charcoal without the previous sanction in writing of a Forest Officer not lower in rank than a Range Forest Officer.†

Prohibiting conversion of material within a mile of forest.

*Explanation No. 1.*—This rule does not apply to trees when standing or growing within such limits, but only to "timber" as defined in the Act. When

\* Read Notification No. 9355, dated 29th November 1892, for the substitution of "Extra" in the place of "Sub."

† Government Resolution No. 4207, dated 25th April 1907.

41.

Page 188.

Foot note '†'.

*For "4207, dated 25th April 1907" read "8186, dated 10th September Department."*

*Page 189.*

In Rule 22 *for* the word "Division" *substitute* the word "Circle" and *after* the word "Circle" *insert* the words "or of the Divisional Forest Officer".

In Rule 23 *after* the words "Conservator of Forests" *insert* the words "or the Divisional Forest Officer".

Mark the rules 22 and 23 with the sign ‡ and add to the footnote ‡ Government Resolution, R. D., No. 1383, dated 12th February 1913.

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trees belonging to a private owner within such limits have either fallen or been felled, permission should not be deemed to be required under this rule—

(a) for lopping merely the boughs of such trees for the purpose of facilitating the removal of the uncut timber, or

(b) for cutting and burning the boughs of such trees for *rāb* or *kumri* cultivation.\*

*Explanation No. 2.*—This rule does not apply to the ordinary operations of domestic carpentry, or to other similar work on a small scale.†

22. No timber of a large scantling which does not belong to Government shall be moved from any district of the Presidency of Bombay, unless there is affixed thereto a distinguishable private property-mark of the owner of such timber of a description which has been registered in the office of the Conservator of the Division, nor (if the said Conservator shall so direct) unless there has been made thereupon a Government transit mark of such description as shall from time to time be prescribed in this behalf by the said Conservator.

A private property-mark required on all large scantlings.

NOTE.—Material of the lopping class and under requires no such stamp.

23. The Conservator of Forests shall, upon receipt of an application for registration of any form, mark, or name for the purpose of Rule 6 or Rule 22, inquire into the authenticity of the same, and if he sees no objection shall, on payment by the applicant of such fee as shall from time to time be prescribed by Government, register such form, mark or name in his office.

Duties of a Conservator to register a form, mark or name.

Every such registration shall be held good for a period of one year only.

24. No person other than a Forest Officer whose duty it is to use such marks, shall use any property-mark for timber which is identical with, or nearly resembles any Government transit mark or mark any with which timber belonging to Government is marked; and no person shall, while any timber is in transit under a pass issued under Rule 13, alter or efface any mark on the same.

Use of private property-marks similar to those used by the Forest Department not permitted.

Transit pass: rules applicable to Sind.

25. Nothing in the foregoing Rules 2 to 24—both inclusive—shall be deemed to apply to the Province of Sind.

In that Province the special rules contained in Appendix B, see page 193, shall be applicable.

26. Any person who breaks any of the foregoing Rules 2 to 24—both inclusive—or any of the rules contained in Appendix B shall be punished with

\* Explanation added, *vide* Government Resolution No. 2204, dated 25th March 1899.

† See Government Resolution No. 4913, dated 15th May 1908.

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## B. RULES FOR TRANSIT OF FOREST PRODUCE—continued.

imprisonment for a term which may extend to six months, or a fine which may extend to five hundred rupees, or both.

27. Repealed by Bombay Act III of 1886.

### APPENDIX A. (See RULE 2, PAGE 176.)

Roads by which forest produce may be removed in the Bombay Presidency.

296a. Routes by which alone timber and other forest produce may be moved into or from any of the following districts (namely):—

#### 1. Thána District.

- |                                |                         |
|--------------------------------|-------------------------|
| 1. G. I. P. Railway Line.      | 10. Aпти Bandar.        |
| 2. B. B. & C. I. Railway Line. | 11. Dysar Bandar.       |
| 3. Bombay and Agra Road.       | 12. Manor Bandar.       |
| 4. Bombay and Poona Road.      | 13. Sayeli Bandar.      |
| 5. Panvel and Campooli Road.   | 14. Morambe Bandar.     |
| 6. Bhor Ghát.                  | 15. Battan Bandar.      |
| 7. Kusur Ghát.                 | 16. Mori Bandar.        |
| 8. Sanján Bandar.              | 17. Joo Nandruk Bandar. |
| 9. Sowta Bandar.               | 18. Pishi Bandar.       |

#### 2. Kolába District.

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|-------------------------------|---------------------|
| 19. Pen and Campooli Road.    | 26. Pimpri Ghát.    |
| 20. Páli and Nágothna Road.   | 27. Alibág Bandar.  |
| 21. Dharamtar and Pen Road.   | 28. Durshet Bandar. |
| 22. Mahád-Warandha Ghát Road. | 29. Amba Creek.     |
| 23. Mahád and Ratnágiri Road. | 30. Revdanda Creek. |
| 24. FitzGerald Ghát Road.     | 31. Dige Creek.     |
| 25. Alibág and Revas Road.    | 32. Sáitri River.   |

#### 3. Ratnágiri District.

- |                              |                       |
|------------------------------|-----------------------|
| 33. Ratnágiri-Poládpur Road. | 42. Anjarle Bandar.   |
| 34. Harnai Bandar.           | 43. Anjanvel Bandar.  |
| 35. Khed-Amboli.             | 44. Jaygad Bandar.    |
| 36. Chiplún-Kumbár Ghát.     | 45. Ratnágiri Bandar. |
| 37. Amba Ghát, Ratnágiri.    | 46. Purangad Bandar.  |
| 38. Bowra Ghát.              | 47. Jaytápур Bandar.  |
| 39. Phonda Ghát.             | 48. Viziadurg Bandar. |
| 40. Vengurla, Belgaum.       | 49. Málwan Bandar.    |
| 41. Bánkot Bandar.           |                       |

#### 4. Khándesh District.

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|-----------------------------|---------------------------------|
| 50. G. I. P. Railway Line.  | 54. All roads upon which Forest |
| 51. Bombay and Agra Road.   | Depôts may from time to         |
| 52. Taloda-Kukarmunda Road. | time be established under       |
| 53. Shaka-Isarvari Road.    | Rule 15.                        |

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B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued.*

5. *Násik District.*

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|---------------------------|---------------------------------|
| 55. G. I. P. Railway.     | 60. Kanchan Ghát.               |
| 56. Bombay and Agra Road. | 61. Saibari Ghát.               |
| 57. Bari Ghát Road.       | 62. Bábulna Ghát.               |
| 58. Násik-Sangamner Road. | 63. Nándgaon-Aurangabad.        |
| 59. Chip Ghát.            | 64. Dhond-Manmád State Railway. |

6. *Ahmednagar District.*

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|---------------------------------|---------------------------------|
| 65. Dhond-Manmád State Railway. | 69. Ahmednagar-Poona Road.      |
| 66. Násik-Ahmednagar Road.      | 70. Ahmednagar-Aurangabad Road. |
| 67. Násik-Poona Road.           | 71. Akola-Bari Ghát Road.       |
| 68. Manmád-Dhond Road.          |                                 |

7. *Poona District.*

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|---------------------------------|--------------------------------------------|
| 72. G. I. P. Railway Line.      | 78. Poona-Pimpari Ghát.                    |
| 73. Dhond-Manmád State Railway. | 79. Poona and Sátára Road by Kátraaj Ghát. |
| 74. Málsej Ghát.                | 80. Poona and Sholápur Road.               |
| 75. Brámanwáda Ghát.            | 81. Níra Bridge Road.                      |
| 76. Poona-Násik Road.           | 82. Supa-Dhond Road.                       |
| 77. Poona-Panvel Road.          |                                            |

8. *Sátára District.*

- |                                 |                             |
|---------------------------------|-----------------------------|
| 83. Poona-Kolhápur Road.        | 91. Tivra Ghát-Sátára Road. |
| 84. Shervat-Waranda Ghát.       | 92. Chiplún-Karád Road.     |
| 85. Bhor-Pandharpur Road.       | 93. Várna Valley Road.      |
| 86. Sátára-Pandharpur Road.     | 94. Mála Ghát.              |
| 87. Sátára-Bijápur Road.        | 95. FitzGerald Ghát.        |
| 88. Níra Bridge-Pusesávli Road. | 96. Koyna River.            |
| 89. Umraj-Pandharpur Road.      | 97. Varna River.            |
| 90. Amboli Ghát-Sátára Road.    |                             |

9. *Sholápur District.*

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|----------------------------------|--------------------------------------------|
| 98. G. I. P. Railway.            | 104. Pandharpur-Sátára Road.               |
| 99. Sholápur-Poona Road.         | 105. Pandharpur-Phaltan Road.              |
| 100. Sholápur-Secunderabad Road. | 106. Sholápur-Karmála and Ahmednagar Road. |
| 101. Sholápur-Bijápur Road.      | 107. Bársi-Yedshi Road.                    |
| 102. Pandharpur-Bijápur Road.    |                                            |
| 103. Pandharpur-Pusesávli Road.  |                                            |

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**B. RULES FOR TRANSIT OF FOREST PRODUCE—continued.***10. Surat District.*

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|---------------------------------------|---------------------------------------------|
| 108. Tápti River.                     | 112. Ambika River.                          |
| 109. Bánsda-Bilimora and Bulsár Road. | 113. Peint, Párdi and Umarsádi Bandar Road. |
| 110. Dharampur and Bulsár Road.       | 114. B. B. & C. I. Railway.                 |
| 111. Auranga River.                   |                                             |

The roads on which the following Forest Depôts are established, *viz.*—

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|------------------|------------------|
| 1. Wagai.        | 5. Amoonia.      |
| 2. Jakria Bari.  | 6. Kanchan Ghát. |
| 3. Bábulna Ghát. | 7. Chip Ghát.    |
| 4. Karjai.       |                  |

*11. Panch Maháls District.*

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|--------------------------|---------------------------------------------------------------------------------------------|
| 115. Dohad-Páli Road.    | 117. All roads upon which Forest Depôts may from time to time be established under Rule 15. |
| 116. Godhra-Baroda Road. |                                                                                             |

*12. Kánara District.*

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|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 118. Tinai Ghát Road.                                                                                 | 130. Siddápur Road to Sorub <i>viá</i> Warda.                 |
| 119. Majali Road.                                                                                     | 131. Sirsi to Sorup <i>viá</i> Banvasi.                       |
| 120. Mouth of the Kálinadi River, Sadáshivgad, Kodibág and Kudra Bandars.                             | 132. Sirsi to Sammasgi <i>viá</i> Dasankop.                   |
| 121. Kárwár Bandar.                                                                                   | 133. Sirsi to Hángal and Bankápur <i>viá</i> Pála.            |
| 122. Belikeri Bandar.                                                                                 | 134. Katur to Murguddi.                                       |
| 123. Ankola Bandar.                                                                                   | 135. Mundgod to Bankápur <i>viá</i> Sauvalli.                 |
| 124. Mouth of the Gangavali River, Munjgooni, Gangavali, and Gundbala.                                | 136. Mundgod Turrus <i>viá</i> War-gatti.                     |
| 125. Mouth of the Tudri River, Tudri, Agnáshini, Mirjan, Hegde, Dewgi, Mouki and Oopinputtum Bandars. | 137. Yellápur to Hubli <i>viá</i> Kirvatti.                   |
| 126. Mordeshwar Bandar.                                                                               | 138. Haliyál to Dhárwár <i>viá</i> Mávinkop.                  |
| 127. Mouth of the Venktápur River (Sheráli and Venktápur Bandars).                                    | 139. Haliyál to Belgaum-Madan-halli.                          |
| 128. Bhatkal River (Bhatkal Bandar).                                                                  | 140. Unshi Ghát Road <i>viá</i> Supa and Shitovde to Belgaum. |
| 129. Gersapa Ghát Road to Talgoopa (Gersapa and Honávar Bandars).                                     | 141. Supa <i>viá</i> Jagalbet, A'mod and Hemarge to Khánápur. |

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**B. RULES FOR TRANSIT OF FOREST PRODUCE—continued.***13. Dhárwār, Belgaum and Kaldāgi Districts.*

Every made road maintained from Imperial, Provincial, Local or Forest Funds, and, with the special permission of the Conservator of Forests, any other road.

**APPENDIX B. (See RULE 25.)***Special Rules under section 41 of the Act for the Province of Sind.*

**297.** 1. All words used in these rules and defined in Act VII of 1878 (The Indian Forest Act) as amended by the Forest Act V of 1890, shall be deemed to have the meaning respectively attributed to them by the said Act, amended as aforesaid.\*

2. No timber or charcoal shall be brought within the municipal limits of the cities of Shikárpur, Sukkur, Rohri and Hyderabad except by the roads and landing-places below mentioned (namely):—

Roads.	Landing-places.
Shikárpur, A'bán, Meláni, and Ruk Road ...	On the Sind Canal at Lakhi Tor.
Sukkur, A'bán, Meláni, and Shikárpur Roads.	Sukkur Bandar.
Rohri—Multán Road ... ..	Rohri Bandar.
Hyderabad—road over old Phuleli Bridge,	Gidu Bandar, and near Bridge
road over new Phuleli Bridge, Hajipur	over the new Phuleli.
Road, Gidu Bandar Road.	

3. No person shall remove any timber or charcoal from any Reserved or Protected Forest without a pass signed by the Forest Officer in charge of such forest, or otherwise than in accordance with the conditions of such pass.

Pass required to remove timber or charcoal from forest.

Every such pass shall specify—

- (1) the quantity and description of the timber or charcoal which it covers,
- (2) the name of the person removing such timber or charcoal,
- (3) the name of the forest from which it is removed, and
- (4) its destination.

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\* Notification No. 5586, dated 24th July 1895.

† The word "or" was substituted for "and" by Notification No. 532, dated 25th January 1882.

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### B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued.*

4. No person who wishes to remove any timber sufficient to make a cart or camel-load from any land which is not included in a Reserved or Protected Forest, shall remove the same from or to any place within twenty miles from a Reserved or Protected Forest, without obtaining from the holder or manager of the land, or if such land be Government waste land, from the Tapedār of the tapa, a written certificate setting forth the quantity and description of the timber to be removed and the date of its removal.

Transit passes required within a radius of 20 miles of forest.

5. No person shall bring firewood or charcoal, the produce of any land not included in a Reserved or Protected Forest for sale into the cities of Shikārpur, Sukkur, Rohri or Hyderabad without a pass signed by a Forest Inspector, or a Tapedār, and setting forth the quantity and description of the firewood or charcoal covered thereby.

Pass required when importing wood into certain cities.

6. Every person in charge of any timber or charcoal to which any of the last three rules is applicable, shall retain the pass or certificate relating to such timber or charcoal in his possession so long as the same is in transit and shall, on demand, produce the pass or certificate for inspection by any Forest or Police Officer, and if such timber or charcoal is being conveyed into the city of Shikārpur, Sukkur, Rohri or Hyderabad, shall produce the pass or certificate at the stations, called "guard," established on the routes leading to those cities for examination.\*

Rule for submission of passes.

According to Notification No. 5954, dated 10th October 1881, the following additions have been made to the rules for Sind (namely) :

Power of Conservator to authorize certain persons to issue passes.

The Conservator of Forests may, if he thinks fit, at any time by an order in writing—

(a) authorize any person who is the owner of timber, charcoal or other forest produce, or the agent of any such owner, to issue passes for the moving of any timber, charcoal or other forest produce which belongs to such person or to the person for whom such person is agent, and

(b) cancel such authorization.

Supply of blank pass books and the information required to be filled in on the same.

When the Conservator of Forests authorizes any person under clause (a) he shall furnish such person from time to time with authenticated books of blank printed forms of passes.

Every pass issued by a person authorized under clause (a) shall specify :

1st. The name of the person to whom such pass is granted.

2nd. The quantity and description of timber, charcoal or other forest produce covered by it.

\* Notification No. 4133, dated 9th August 1880.

## VI. Section 41, Rules regulating Forest Produce in Transit.

B. RULES FOR TRANSIT OF FOREST PRODUCE—*continued*.

3rd. The places from and to which such timber, charcoal or other forest produce is to be conveyed and the route by which it is to be conveyed.

4th. The period for which such pass is to be in force.

5th. The officer or person to whom it is to be returned on the expiry of such period or on the arrival of the timber, charcoal, or other forest produce at its destination, whichever event happens the first.

The person authorized to issue passes shall pay for each book of passes such sum as shall from time to time be determined by the Conservator of Forests, and in the event of an order being passed by the Conservator of Forests under clause (b) shall at once return to the said Conservator every unused book and every unused portion of any such book then remaining in his possession, and shall be entitled to receive back the amount paid by him in respect of such unused book or portion of book.

No pass issued by any such person after the issue of an order under clause (b) and no pass issued by him which is not on a form supplied to him as aforesaid shall have any validity.\*

297a. (1) Any trader wishing to export *harda* or other forest produce imported from Native States under cover of a foreign pass shall submit a written application, duly dated, accompanied by the foreign pass to the talāti of the village of *Khāre-pātan in the Devgad Taluka of the Ratnāgiri District*.

(2) The talāti of the aforesaid village on receipt of such application, shall at once issue the necessary export pass to the applicant and as soon as possible afterwards forward to the Mámlatdār the application together with the foreign pass received from the applicant, endorsing on the latter the number and date of the export pass issued.

(3) When the produce reaches the port named in the export pass issued by the talāti of the aforesaid village, the Customs office at such port shall check the produce with the pass, retaining the latter and issuing a shipment bill with an endorsement upon it quoting the number and date of the export pass.

(4) After issue of the shipment bill the Customs office concerned shall at once forward the export pass to the Mámlatdār who shall check the date of issue shown on the pass with the endorsement made by the talāti of the aforesaid village on the foreign pass according to rule (2). In case of discrepancy or undue delay the Mámlatdār shall take the necessary steps against the talāti issuing the pass.†

\* Notification No. 5954, dated 10th October 1881.

† Government Resolution No. 7723, dated 29th July 1908.

## VI. Section 41, Rules regulating Forest Produce in Transit.

### B. RULES FOR TRANSIT OF FOREST PRODUCE—concluded.

**297b.** Declaring that rule No. 3 of the rules under section 41 of the Indian Forest Act, No. VII of 1878, regulating the transit of timber and other forest produce published in Government Notification No. 4133, dated 9th August 1880, shall not apply to myrabolams produced within the Ranges of Khed, Junnar and A'mbeegaon and sold on the trees producing them.\*

### C. Transit by Sea.

**298.** In exercise of the power conferred by clause (e) of section 157 of the Sea Customs Act, 1878, and in supersession of the rules under the said clause,† the Governor in Council is pleased to make the following rule, viz. :—

Rules regulating forest produce in transit by sea.

No timber, firewood, bamboos, myrabolams, shikákái, charcoal or shembi bark at any place declared under section 12 of the Sea Customs Act, 1878, to be a port or at any Customs port except the Port of Bombay and the Ports in Sind, and in the districts of Ahmedabad, Kaira and Broach may be carried in a coasting vessel,

Shipments of certain forest produce requires a pass attached to the shipping bill.

(a) unless at the time of shipment the shipper appends to his bill a pass in one or other of the forms hereinafter mentioned covering such timber, firewood, bamboos, myrabolams, shikákái, charcoal or shembi bark, or

The Customs Officer may countersign the shipping bill and cancel the pass.

(b) until the Customs Collector at the port of shipment shall have certified by endorsement on the shipping bill that a pass as aforesaid has been produced before him and cancelled by him.

The pass required by this rule shall be either :—

(a) A pass granted by a competent officer under No. 3‡ of the rules framed by Government under section 41 of the Indian Forest Act, 1878, and published by Notification No. 4133, at page 689, of the *Bombay Government Gazette* for 1880, Part I, and under the said section of the said Indian Forest Act, as amended by the Forest Act, 1890, amended by the rule published by Notification No. 5586, at page 818, of the *Bombay Government Gazette* for 1895, Part I, or

Form of pass required for shipment of forest produce.

(b) A pass granted for the purpose of this rule by

(i) a person duly authorized under No. 13 of the said rules under the said Indian Forest Act, amended as aforesaid, or

\* Government Notification No. 9813, dated 26th September 1908.

† Notifications No. 5421, dated 5th July 1884; and No. 941, dated 31st January 1885.

‡ See section 296, page 176.